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Attorneys for Defendants

12
13 UNITED STATES DISTRICT COURT
14 CENTRAL DISTRICT OF CALIFORNIA
15

16 *In re: Hyundai and Kia Engine*
17 *Litigation II*

CASE No. 8:18-cv-02223-JLS-JDE

18 **JOINT STIPULATION**
19 **WITHDRAWING THE**
20 **DECLARATION OF ROBERT**
21 **KLONOFF**
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1 The parties respectfully request the Court adopt the following Stipulation:

2 WHEREAS, the parties have fully briefed plaintiffs' motion for attorneys'
3 fees and expenses and class representative awards (Dkts. 106, 120, 123);

4 WHEREAS, on August 11, 2023, plaintiffs filed the Rebuttal Declaration of
5 Professor Robert Klonoff in Response to Defendants' Opposition to Plaintiffs'
6 Motion for Attorneys' Fees (Dkt. 123-1);

7 WHEREAS, on August 18, 2023, defendants moved to strike Professor
8 Klonoff's declaration, and this motion was noticed for hearing on September 29,
9 2023 (Dkt. 127);

10 WHEREAS, plaintiffs filed an opposition to defendants' motion to strike on
11 September 5, 2023 (Dkt. 137);

12 WHEREAS, the Court heard arguments on plaintiffs' fees motion during the
13 final fairness hearing on September 8, 2023 (Dkt. 142); and

14 WHEREAS, the Court informed the parties at the final fairness hearing that
15 she would not consider Professor Klonoff's declaration, and ordered that
16 defendants' motion to strike be taken off calendar;

17 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED that:

- 18 1. Plaintiffs withdraw the Rebuttal Declaration of Professor Robert
19 Klonoff in Response to Defendants' Opposition to Plaintiffs' Motion
20 for Attorneys' Fees (Dkt. 123-1);
- 21 2. Any references to Professor Klonoff's declaration in the parties'
22 briefing on plaintiffs' fees motion should be disregarded; and
- 23 3. Defendants' motion to strike Professor Klonoff's declaration (Dkt. 127)
24 should be denied as moot.

25 WHEREFORE, plaintiffs and defendants respectfully request that the Court
26 enter this Stipulation as an Order of the Court.

27 IT IS SO STIPULATED.
28

DATED: September 27, 2023

By /s/ Shon Morgan

Attorneys for Defendants

By /s/ Matthew D. Schelkopf

Attorneys for Plaintiffs

ECF ATTESTATION

I, Shon Morgan, attest that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the e-filing of the foregoing document in compliance with Local Rule 5-4.3.4(a)(2).

By /s/ Shon Morgan
Shon Morgan